

**APPROVED 5-4-09**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, April 6, 2009 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

**MEMBERS PRESENT:**

James J. Giulietti, Vice Chairman  
Douglas E. Roberts, Secretary  
Vern E. Carlson  
Brian Cummings

**MEMBERS ABSENT:**

Dominic M. Palumbo, Chairman  
William D. O'Hare, Alternate  
John H. Vanacore, Alternate  
Antoinette Carmody, Alternate

**OTHERS PRESENT:**

Alan A. Fredricksen, Land Use Administrator  
Jonathan Bodwell, Town Engineer  
Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Giulietti, Acting Chairman, called the meeting to order at 7:05 PM. He introduced the Commissioners, alternates, town staff and the clerk. Mr. Giulietti explained the procedure for the public hearing and asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that application #P09-14, 328 Bassett Road, is postponed to the May 4, 2009 meeting.

**PUBLIC HEARINGS:**

Mr. Roberts read the call for the first public hearing.

1. #P09-12S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of New England Fire Equipment & Apparatus Corp., Applicant, and Feehan, LLC, Owner, relative to 10 Stillman Road, (Map 66, Lot 94). Plan Entitled: As Built Plan prepared for New England Fire Equipment & Apparatus Corp., 10 Stillman Road, North Haven, Connecticut. Dated September 27, 1994, revised to 4-21-08. Scale 1" = 40'. IL-80 Zoning District.

Attorney John Lambert presented the application to permit the granting of a Motor Vehicle Dealer's license for this property. The applicant intends to limit his repairs and sales to fire trucks, public safety vehicles and other emergency equipment. There are no site improvements being proposed. Attorney John Lambert asked to waive the requirement for a showroom.

Mr. Giulietti asked about the numbers of vehicles stored on this site and if there would be an increase in the amount of vehicles in the future. Mr. Feehan, applicant, stated that the current amount of apparatus should not increase and storage will be in the back of the building. The Commission would like to limit the amount of vehicles on this site, particularly ambulances. Mr. Roberts read comments from the North Haven Fire Department dated March 30, 2009.

Mr. Giulietti asked for public comment. There was no public comment so the public hearing was closed.

Mr. Roberts read the call for the second public hearing.

The Commission elected to hear application #P09-13S, #P09-13 & P09-13A together.

2. #P09-13S Special Permit Application (as authorized by Sections 5.2.1.53 & 5.2.1.55) of Metal Management Connecticut, Inc., Owner and Applicant, relative to 234 Universal Drive, (Map 6, Route 1). Plan Entitled: Metal Management Northeast, Inc., Air Compressor Building, 234 Universal Drive, North Haven, Connecticut, 06473. Prepared by Salient Architects, Dated 2/9/09. Scale 1" = 60'. IG-80 Zoning District.
8. #P09-13 Site Plan Application of Metal Management Connecticut, Inc., Owner and Applicant, relative to 234 Universal Drive, (Map 6, Route 1). Plan Entitled: Metal Management Northeast, Inc., Air Compressor Building, 234 Universal Drive, North Haven, Connecticut, 06473. Prepared by Salient Architects, Dated 2/9/09. Scale 1" = 60'. IG-80 Zoning District.
9. #P09-13A CAM Application of Metal Management Connecticut, Inc., Owner and Applicant, relative to 234 Universal Drive, (Map 6, Route 1). Plan Entitled: Metal Management Northeast, Inc., Air Compressor Building, 234 Universal Drive, North Haven, Connecticut, 06473. Prepared by Salient Architects, Dated 2/9/09. Scale 1" = 60'. IG-80 Zoning District.

Attorney Marjorie Shansky and Barry Hammons, P.E. presented the application to permit the construction of a new 1375 square foot building next to the existing separation building located on the west side of the site. The Special Permit is in accordance with Sections 5.2.1.53 & 5.2.1.55 for the expansion of these uses. This site falls within the CAM Boundary. Mr. David Barber, architect, further described the proposed building. Mr. Giulietti asked Mr. Joseph Caruso of Metal Management to explain what the building will house. Mr. Caruso explained that it will house three compressors to separate shredded material that contains metal.

Mr. Giulietti asked for public comment. There was no public comment so the public hearing was closed.

3. #P09-14 Excavation Permit application of Bernard Pellegrino, Applicant, Quinnipiac University, Owner, relative to 328 Bassett Road, (Map 91, Lot 19). seeking Permit To Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Spoil Area Restoration, Quinnipiac University, Anthem Campus, North Haven, Connecticut. Prepared by Nathan L. Jacobson & Associates, Inc. Dated February 27, 2009. Scale 1" = 40'. LO Zoning District.

This application was postponed to the May 4, 2009 meeting.

**SITE PLANS:**

4. #P09-06 Site Plan Application of Luigi Ferraro, Sr., Owner and Applicant, relative to 355 Washington Avenue, (Map 85, Lot 13). Plan Entitled: Proposed Site Plan, 355 Washington Avenue Development, North Haven, Connecticut. Prepared by Hunter Smith Associates, Dated 1-08-09. Scale 1" = 20'. IL-30 Zoning District.

This application was withdrawn by the applicant.

5. #P09-08 Site Plan Application of Barry I. Steinberg, P.E., Applicant, Shree Gopal, LLC, Owner, relative to 88 Quinnipiac Avenue, (Map 6, Lot 30). Plan Entitled: Dunkin Donuts, 88 Quinnipiac Avenue, North Haven, Connecticut. Prepared by Steinberg Associates, Dated 10/3/08, rev. 1/14/09. Scale 1" = 20'. IL-30 Zoning District.

Mr. Alex Martinez, presented the application to permit a Dunkin Donuts, take-out only restaurant, to be added within the existing convenience store/gas station on this property. The applicant asked to waive the sidewalks in the front of the building. In order to proceed with this project, the applicant needs approval from the State D.O.T..

Mr. Herbert Serpa, speaking for the applicant, granted the Commission a thirty-five day extension to allow more time for the applicant to resolve the State D.O.T. issues. The Commission continued the application to the May 4, 2009 meeting.

6. #P09-09 Site Plan Application of B.A.M. Properties, LLC, Owner and Applicant, relative to 70 Old Broadway West, (Map 77, Lot 15). Plan Entitled: Site/Grading/Utility Plan, B.A.M. Properties, LLC, #70 Old Broadway West, North Haven, Connecticut. Prepared by Connecticut Consulting Engineers, LLC, Dated 1/4/09. Scale 1" = 20'. IL-30 Zoning District.

Mr. John Gabel, P.E., presented the application to permit the construction of a new 7,092 square feet building for contractor's storage. Mr. Bill Mezzano, applicant, stated that this building will contain four rental bays. The applicant is requesting a waiver of the sidewalks and the irrigation system. Mr. Roberts asked about the lighting plan. An aerial photograph of the property was presented by Mr. Alan Fredricksen, Land Use Administrator, and discussed with the Commission. The Commission asked a few more questions and Mr. Mezzano responded.

7. #P09-11 Site Plan Application of Ceruzzi North Haven, LLC, Owner and Applicant, relative to 79 Washington Avenue, (Map 73, Lot 2). Plan Entitled: Proposed Perimeter Drive Realignment, Washington Center/North Haven Plaza, Washington Avenue, North Haven, Connecticut, Dated February 5, 2009. Scale 1" = 50'.

Mr. Steven Brewer, P.E. with Wagner Engineering distributed a map of the property and presented the application to permit site modifications to this property that would eliminate the portion of the access driveway that currently exists on the adjacent property at #77 Washington Avenue. Required parking will be provided. Grading and drainage will remain the same. Mr. Giulietti asked questions regarding the landscaping and islands and Mr. Brewer responded.

10. #P09-15 Site Plan Application of Dominic Contessa, Owner and Applicant relative to 288 State Street, (Map 43, Lot 9). Plan Entitled: Zoning Location Survey Prepared For Dominic D. Contessa, 288 State Street, North Haven, Connecticut. Prepared by Richard W. Palin, Land Surveyors, Dated February 11, 2009. Scale 1" = 20'. CB-40 Zoning District.

Mr. Dominic Contessa, applicant, presented the application to permit the expansion of the second floor area of the "Carriage House" located behind the main building on the site. The applicant is also requesting an expansion of the existing southerly parking area. The applicant is also asking for a waiver of the sidewalks and irrigation system. Mr. Bodwell, Town Engineer, and Mr. Fredricksen, Land Use Administrator explained why this application is incomplete. The building will be used for office space only. The Commission asked a few more questions and Mr. Contessa responded.

**BREAK:** 8:16 PM – 8:27 PM

**DELIBERATION SESSION:**

Mr. Roberts moved to go into deliberations; Mr. Cummings seconded the motion. All were in favor.

**PUBLIC HEARINGS:**

1. #P09-12S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of New England Fire Equipment & Apparatus Corp., Applicant, and Feehan, LLC, Owner, relative to 10 Stillman Road.

Mr. Roberts moved to approve the application; Mr. Cummings seconded the motion.

Mr. Giulietti requested the amendment of the motion to include approval of the waiver of a showroom and to limit the outdoor storage of vehicles to 15 public safety vehicles, other than fire trucks, located at this site; Mr. Roberts agreed to amend the motion and Mr. Cummings, again, seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

The application was approved with appropriate conditions.

2. #P09-13S Special Permit Application (as authorized by Sections 5.2.1.53 & (5.2.1.55) of Metal Management Connecticut, Inc., Owner and Applicant, relative to 234 Universal Drive.

Mr. Roberts moved to approve the application; Mr. Carlson seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

**SITE PLANS:**

6. #P09-09 Site Plan Application of B.A.M. Properties, LLC, Owner and Applicant, relative to 70 Old Broadway West.

Mr. Carlson moved to approve the application with a waiver of required sidewalks, but requiring an irrigation system; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

The application was approved with conditions.

Mr. Giulietti moved to approve the bond amount to be approved by the Town Engineer; Mr. Carlson seconded the motion. All were in favor.

7. #P09-11 Site Plan Application of Ceruzzi North Haven, LLC, Owner and Applicant, relative to 79 Washington Avenue.

Mr. Carlson moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

The application was approved with appropriate conditions.

8. #P09-13 Site Plan Application of Metal Management Connecticut, Inc., Owner and Applicant, relative to 234 Universal Drive.

Mr. Carlson moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

The application was approved with appropriate conditions.

9. #P09-13A CAM Application of Metal Management Connecticut, Inc., Owner and Applicant, relative to 234 Universal Drive.

Mr. Roberts moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

The application was approved.

10. #P09-15 Site Plan Application of Dominic Contessa, Owner and Applicant relative to 288 State Street.

Mr. Carlson moved to continue the application to the May 4, 2009 meeting; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

The Commission stated the following:

1. The site plan is incomplete.
2. Drainage calculations were not provided.

Mr. Carlson moved to go out of deliberations; Mr. Roberts seconded the motion. All were in favor.

**INFORMAL PRESENTATION:** None

**OTHER:**

166 Washington Avenue, CVS - Notice of Violation

Mr. Fredricksen, Land Use Administrator, stated that the Zoning Enforcement Officer, sent a follow-up violation letter regarding a Budget Rental Truck being stored on the parking lot behind CVS Pharmacy for storage. CVS responded to Mr. Hausman's second request and the truck was removed from the site.

**EXTENSIONS:** None

**BOND RELEASES & REDUCTIONS:**

#B2002-13, 41 Stiles Lane

Mr. Roberts moved to release the entire bond for #B2002-13, 41 Stiles Lane in the amount of \$15,000.00; Mr. Carlson seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

Mr. Russ Downey of Upjohn updated the Commission regarding projects at the Upjohn site.

**CHANGE OF USE:**

448-444 Washington Avenue

Mr. Martin Ruff and Mr. DeMaio discussed the Change of Use with the Commission.

Mr. Carlson moved to approve the Change of Use from office to a day spa; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

451 State Street

Mr. Jerry Blank explained that he would like to use 3000 square feet of this building for a pediatric office.

Mr. Carlson moved to approve the Change of Use from office to medical office; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

81 Washington Avenue

Mr. Vladimir Avidon and Mr. Abraham Yale explained the Change of Use.

Mr. Carlson moved to approve the Change of Use from retail to medical office; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts - aye Carlson – aye Cummings – aye

**CORRESPONDENCE:**

- Pharmacia & Upjohn, Firewater Pond Status Reports dated January 16, 2009 and February 18, 2009
- Conn. Federation of P&Z Agencies Newsletter, Winter 2009
- DEP Letter, Tentative Determination of Discharges into the Waters of Connecticut
- Clearscapes Newsletter, Winter 2009
- 288 Quinnipiac Avenue Letter
- 1970 Whitney Avenue (Hamden)
- Hamden Regulations Amendment

Mr. Fredricksen, Land Use Administrator, reviewed the correspondence with the Commission.

**MINUTES:**

February 2, 2009

A quorum could not be established; therefore, the February 2, 2009 minutes could not be approved.

**ADJOURN:**

There being no further business, Mr. Roberts moved to adjourn; Mr. Cummings seconded the motion. The meeting was adjourned at 9:32 PM.